

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ACP GP, LLC, *et al.*,

Plaintiffs,

v.

MOTIVATIONAL COACHES OF
AMERICA, INC., *et al.*,

Defendants.

Case No. 18-cv-13147-CCC-ESK

**ORDER DENYING DEFENDANT
JULIO AVAEL'S REQUEST TO
STAY DISCOVERY AND FOR
PRETRIAL SCHEDULING**

THIS MATTER having come before the Court on *pro se* defendant Julio Avel's application to stay discovery (Application) (ECF No. 52) pending resolution of certain motions; and plaintiffs having opposed the request (ECF No. 57); and the Court having considered the papers submitted in support and in opposition to the Application, and having hearing the parties' arguments on May 14, 2020 on the record; and for the reasons stated on the record:

IT IS on this 14th day of May 2020 **ORDERED** that:

1. The Application is **DENIED**.
2. A telephone status conference is scheduled for **August 20, 2020 at 10:00 a.m.** before Magistrate Judge Edward S. Kiel. The parties shall file a joint letter, at least three business days before the conference advising of the status of discovery, any pending motions, and any other issues to be addressed.
3. Fact discovery is to remain open through **September 30, 2020**. All depositions of fact witnesses must be completed by the close of fact discovery. No fact discovery is to be issued or engaged in beyond that date, except for good cause shown.
4. Motions to add new parties, whether by amended or third-party complaint, and motions to amend pleadings must be filed no later than **July 31, 2020**.
5. The parties shall exchange disclosures pursuant to Rule 26 no later than **June 5, 2020**.

6. The parties may serve additional written discovery requests on or before **May 29, 2020**. Interrogatories shall be limited to **25** single questions, inclusive of subparts.

7. The number of depositions to be taken by each side shall not exceed **5**.

8. The parties are directed to Rule 26(f) and Local Rule 26.1, which address preservation of discoverable information, discovery of electronically stored information, claims of privilege or work product protection, and the obligations of counsel concerning their clients' information management systems.

9. The parties are directed to the Court's Civil Case Management Order for procedures concerning discovery disputes, motion practice, and requests for extensions and adjournments.

10. Proposed confidentiality orders, submitted upon the consent of the parties, must comply with Rule 26(c), Local Rule 5.3, and applicable case law. Please also refer to the Court's Civil Case Management Order.

11. Plaintiffs are directed to the Court's Order Concerning Citizenship of Unincorporated Business Organizations. Plaintiffs shall file a letter on or before **May 22, 2020** fully analyzing the membership of the limited liability companies for diversity jurisdiction purposes.

/s/ Edward S. Kiel
EDWARD S. KIEL
UNITED STATES MAGISTRATE JUDGE